

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
THELMA HIGUEROS, on behalf of herself  
and as class representative of all those  
similarly situated,

Plaintiff,

-against-

NEW YORK STATE CATHOLIC  
HEALTH PLAN, INC.,  
d/b/a FIDELIS CARE, INC.,

Defendant.  
-----X

No. 07 Civ. 0418 (ADS)(ETB)

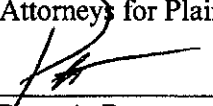
**STIPULATION OF  
DISCONTINUANCE WITH  
PREJUDICE AS TO  
THELMA HIGUEROS' FOURTH  
CLAIM FOR RELIEF**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel for the parties, that plaintiff Thelma Higueros' fourth claim for relief pursuant to New  
York Labor Law § 215 is hereby discontinued with prejudice.

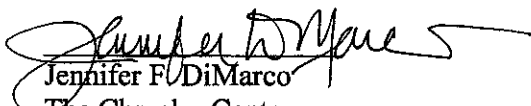
Dated: December 2, 2009  
New York, New York

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FRANK & ASSOCIATES, P.C.  
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**SO ORDERED:**  
  
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